

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

DONNELLY R. VILLEGAS, an enrolled  
member of the Spokane Tribe of  
Indians,

Plaintiff,

v.

UNITED STATES OF AMERICA;  
DEPARTMENT OF THE INTERIOR; BUREAU  
OF INDIAN AFFAIRS; BUREAU OF LAND  
MANAGEMENT; BUREAU OF SAFETY AND  
ENVIRONMENTAL ENFORCEMENT  
(formerly the MINERALS MANAGEMENT  
SERVICE); ENVIRONMENTAL PROTECTION  
AGENCY; DEPARTMENT OF JUSTICE;  
OFFICE OF THE INSPECTOR GENERAL;  
LISA P. JACKSON; REBECCA ANNE  
BATTS; STAN SPEAKS; ERIC H.  
HOLDER, JR.; KENNETH L. SALAZAR;  
ROBERT ABBEY; MICHAEL R. BROMWICH;  
DAWN MINING COMPANY, LLC; NEWMONT  
USA LIMITED; WASHINGTON WATER  
POWER/AVISTA; ONB BANK AND TRUST;  
and ESTATE OF WILLARD SHARPE,

Defendants.

NO. CV-12-0001-EFS

**ORDER GRANTING  
PLAINTIFF'S MOTION TO  
DISMISS CLAIMS AGAINST  
DEFENDANT ONB BANK AND  
TRUST**

This matter comes before the Court on Plaintiff Donnelly R. Villegas' Motion to Dismiss Claims Against Defendant ONB Bank and Trust. ECF No. [17](#). Mr. Villegas states that Defendant ONB Bank and Trust was erroneously named as a Defendant in this matter, and asks the Court to dismiss all claims against ONB Bank and Trust with prejudice. ONB Bank and Trust has not answered or otherwise responded to the Complaint.

1 Based on Plaintiff's motion, **IT IS HEREBY ORDERED:**

2 1. The Complaint, **ECF No. 1**, is **DISMISSED with prejudice** as to  
3 Defendant ONB Bank and Trust, with each party to bear its own costs and  
4 attorney's fees.

5 2. The case caption shall be **amended**. All future filings in this  
6 matter shall bear the following caption:

7 DONNELLY R. VILLEGAS, an enrolled  
8 member of the Spokane Tribe of  
Indians,

9 Plaintiff,

10 v.

11 UNITED STATES OF AMERICA; DEPARTMENT  
12 OF THE INTERIOR; BUREAU OF INDIAN  
13 AFFAIRS; BUREAU OF LAND MANAGEMENT;  
14 BUREAU OF SAFETY AND ENVIRONMENTAL  
15 ENFORCEMENT (formerly the MINERALS  
16 MANAGEMENT SERVICE); ENVIRONMENTAL  
17 PROTECTION AGENCY; DEPARTMENT OF  
18 JUSTICE; OFFICE OF THE INSPECTOR  
GENERAL; LISA P. JACKSON; REBECCA  
ANNE BATTS; STAN SPEAKS; ERIC H.  
HOLDER, JR.; KENNETH L. SALAZAR;  
ROBERT ABBEY; MICHAEL R. BROMWICH;  
DAWN MINING COMPANY, LLC; NEWMONT  
USA LIMITED; WASHINGTON WATER  
POWER/AVISTA; and ESTATE OF WILLARD  
SHARPE,

19 Defendants.

20 **IT IS SO ORDERED.** The District Court Executive is directed to enter  
21 this Order and provide copies to counsel.

22 **DATED** this 7<sup>th</sup> day of February 2012.

23  
24 S/ Edward F. Shea

25 EDWARD F. SHEA

26 United States District Judge

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